



1636

LAW OFFICES OF  
**SYNNESTVEDT & LECHNER LLP**  
2600 ARAMARK TOWER  
1101 MARKET STREET  
PHILADELPHIA, PA 19107-2950  
TELEPHONE (215) 923-4466  
FACSIMILE (215) 923-2189  
E-MAIL [synnlech@synnlech.com](mailto:synnlech@synnlech.com)  
[www.synnlech.com](http://www.synnlech.com)

January 30, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of R. Vogels, A. Bout,  
H. van Es, and G. Schouten  
Application No. 10/036,949  
Filed December 21, 2001

Examiner: J. Ketter  
Art Unit: 1636  
Confirmation No. 6087

HIGH THROUGHPUT SCREENING OF  
GENE FUNCTION USING ADENOVIRAL  
LIBRARIES FOR FUNCTIONAL GENOMICS APPLICATIONS

Attorney Docket No. P25,290-A US1

---

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any other papers indicated as being enclosed, is being deposited with the United States Postal Services, as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 30, 2004.

  
Barbara G. Makariou

---

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT UNDER 37 §C.F.R. 1.115**

Sir:

A preliminary amendment was filed with application on December 21, 2001. This amendment cancelled claims 1 to 40 and added claims 41 to 115. A restriction requirement, dated October 1, 2003, restricted Claims 1 to 35, indicating that the

amendment filed December 21, 2001 was not entered. This was verified during a phone conversation of November 3, 2003 between the undersigned and Examiner James Ketter. The Examiner suggested that to ensure that the amendment of December 21, 2001 was properly entered, it should be resubmitted as a new preliminary amendment along with evidence that the amendment of December 21, 2001 was received by the USPTO. Therefore, prior to commencing examination of the above-identified application, please amend the application as follows.

**Amendments to the Specification** begin on Page 3 of this paper.

**Amendments to the Claims** begin on Page 7 of this paper.

**Amendments to the Drawings** begin on Page 23 of this paper and include both an attached replacement sheet and an annotated sheet showing changes made.

**Remarks** begin on Page 25 of this paper.



Inventor / TM. Appl. <u>Vogels et al.</u>	Appl. No. <u>—</u> Filing Date <u>hereinwith</u>
Client <u>Salazar</u>	Docket No. <u>25,290-A US1</u> Atty. <u>PSK/LMW</u>
The Patent / Trademark Office is in receipt of the following:	
<input type="checkbox"/> Affidavit/Declaration, 37 CFR	<input type="checkbox"/> PCT Application, transmittal, request & fee sheet
<input checked="" type="checkbox"/> Amendment, 37 CFR <u>Preliminary</u>	<input type="checkbox"/> Petition under 37 CFR
<input type="checkbox"/> Amendment to allege use	<input type="checkbox"/> Petition for cancellation <u>J1036 U.S. PTO</u>
<input type="checkbox"/> Appeal notice/Appeal brief	<input type="checkbox"/> Power of attorney <u>10/036949</u>
<input type="checkbox"/> Appointment of domestic representative	<input type="checkbox"/> Priority claim
<input type="checkbox"/> Assignment & cover sheet	<input type="checkbox"/> Renewal application
<input type="checkbox"/> Cert. of correction request	<input type="checkbox"/> Reply, 37 CFR
<input checked="" type="checkbox"/> Cert. of Exp. Mailing, Date <u>12-21-01</u>	<input type="checkbox"/> Request for extension of time to file opposition notice
No. <u>EL875291670 05</u>	(in triplicate)
<input type="checkbox"/> Cert. of mailing, Dated	<input type="checkbox"/> Section 8/Section 15 Affidavit/Declaration
<input type="checkbox"/> Charge deposit account, in duplicate	<input type="checkbox"/> Specimens
<input checked="" type="checkbox"/> Check \$ <u>2084.00</u> for <u>fees</u>	<input type="checkbox"/> Statement of use
<input type="checkbox"/> Demand for PCT examination	<input type="checkbox"/> Trademark/Service Mark Application
<input type="checkbox"/> Extension of time petition <u>—</u> months	<input type="checkbox"/> Declaration
<input type="checkbox"/> Extension of time to file Statement of Use	<input type="checkbox"/> Power of attorney
<input type="checkbox"/> IDS (information disclosure statement)	<input type="checkbox"/> Drawing
PTO Form 1449: # of pages enc. <u>—</u>	<input type="checkbox"/> Verified statement/Small entity
# of references enc. <u>—</u>	<input type="checkbox"/> Withdrawal
<input type="checkbox"/> Issue fee transmittal & advance order	<input checked="" type="checkbox"/> Other <u>Rev of POA &amp; Sub. POA;</u>
<input type="checkbox"/> Letter	<u>Req. for Transfer... Seq.</u>
<input type="checkbox"/> Maintenance fee transmittal	<u>Listing 61 Sheets formal</u>
<input type="checkbox"/> Opposition notice (in duplicate)	<u>drawing</u>
<input checked="" type="checkbox"/> Patent Application <u>(copy of parent)</u>	
<u>135</u> # of pages <u>—</u> # of pages of claims	
<u>61</u> # of sheets of drawings	
<input checked="" type="checkbox"/> Declaration/Oath: <input checked="" type="checkbox"/> signed <input type="checkbox"/> unsigned	
<input checked="" type="checkbox"/> Transmittal letter <u>(in dup.)</u>	

Copy of Parent

COPY